

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

Fluxo-Cane Overseas Ltd.,

Plaintiff,

v.

ED & F Man Sugar Inc.,

Defendant.

Case No. 08-cv-00356-WDQ

Waiver of Service of Summons Pursuant to Fed. R. Civ. P. 4(d)

To: Winston & Strawn LLP
1700 K Street, NW
Washington, D.C. 20006

I acknowledge receipt of your request that ED & F Man Sugar Inc. ("Man Sugar") waive service of a summons in the action Fluxo-Cane Overseas Ltd. v. ED & F Man Sugar Inc., which is case number 08-cv-00356-WDQ in the United States District Court for the District of Maryland. I have also received two (2) copies of the Verified Complaint in the action, two (2) copies of the Summons, two (2) copies of this instrument, and a means by which I can return the signed waiver to you without cost to me.

Man Sugar agrees to save the cost of service of a summons and an additional copy of the complaint in this lawsuit by not requiring that it be served with judicial process in the manner provided by Rule 4.

Man Sugar will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect in the summons or in the service of the summons.

Man Sugar understands that a judgment may be entered against it if an answer or motion under Rule 12 is not served upon you within 60 days after February 12, 2008.

Dated: Feb 13, 2008

Signature: _____

Counsel for ED & F Man Sugar Inc.

Printed/Typed Name: _____

STANLEY M. EDWARDS III